# This Page is Inserted by IFW Indexing and Scanning Operations and is not part of the Official Record

#### **BEST AVAILABLE IMAGES**

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images include but are not limited to the items checked:

BLACK BORDERS
☐ IMAGE CUT OFF AT TOP, BOTTOM OR SIDES
☐ FADED TEXT OR DRAWING
BLURRED OR ILLEGIBLE TEXT OR DRAWING
☐ SKEWED/SLANTED IMAGES
☐ COLOR OR BLACK AND WHITE PHOTOGRAPHS
☐ GRAY SCALE DOCUMENTS
☐ LINES OR MARKS ON ORIGINAL DOCUMENT
☐ REFERENCE(S) OR EXHIBIT(S) SUBMITTED ARE POOR QUALITY
Потигр.

### IMAGES ARE BEST AVAILABLE COPY.

As rescanning these documents will not correct the image problems checked, please do not report these problems to the IFW Image Problem Mailbox.

RECEIVED

CENTRAL FAX CENTER

AUG 1 9 2004

Fax: 2148554107

A PROFESSIONAL CORPORATION

1445 ROSS AVENUE **SUITE 3200** DALLAS, TEXAS 75202

(214) 855-4500

FACSIMILE (214) 855-4300

www.jenkens.com

AUSTIN, TEXAS

CHICAGO, ILLINOIS

HOUSTON, TEXAS.

LOS ANGELES, CALIFORNIA

NEW YORK, NEW YORK

PASADENA, CALIFORNIA

SAN ANTONIO, TEXAS

WASHINGTON, D.C.

RECIPIENT

FROM THE DESK OF:

Lckha Gopalakrishnan

(214) 965 7364

Commissioner for Patents

COMPANY

**USPTO** 

FAX NO.

703-872-9306

PHONE NO.

MESSAGE

Serial No.: 09/175,713 Inventor: Herrmann et al. Filed: October 20, 1998

Docket No.: 50657-05302USP1

Information Disclosure Statement attached.

## NOTICE OF CONFIDENTIALITY

The information contained in and transmitted with this facsimile is

- SUBJECT TO THE ATTORNEY-CLIENT PRIVILEGE;
- ATTORNEY WORK PRODUCT; OR
- 3. CONFIDENTIAL.

It is intended only for the individual or entity designated above. You are hereby notified that any dissemination, distribution, copying, or use of or reliance upon the information contained in and transmitted with this facsimile by or to anyone other than the recipient designated above by the sender is unauthorized and strictly prohibited. If you have received this facsimile in error, please recipient designated above by the sender is unauthorized and strictly prohibited. If you have received this facsimile in error, please recipient designated above by the sender is unauthorized and strictly prohibited. Any facsimile erroneously notify Jenken's & Gilchrist, a professional corporation by telephone at (214) 855-4777 immediately. Any facsimile erroneously notify Jenken's & Gilchrist, a professional corporation by telephone at (214) 855-4777 immediately. Any facsimile erroneously notify Jenken's & Gilchrist, a professional corporation by telephone at (214) 855-4777 immediately.

Time: 10:07 AM

Date: August 19, 2004

Emp#: 3728

Billing #: 50657-05302USP1

Total Pages (+ Cover): 8

#### received CENTRAL FAX CENTER

AUG 1 9 2004

Patent Application Docket No. 50657-05302USP1

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s):

Herrmann et al.

Serial No.: 09/175,713

For:

Filed: October 20, 1998

Confirmation No.: 7226

Group Art Unit: 1646

Examiner: Janet L. Andres

CHEMOKINES WITH AMINO-TERMINAL MODIFICATIONS

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being factimile transmitted to the U.S. Patent and Trademark Office at Fax No. (703) 872-9306 on August 19, 2004

Printed Name

Signature

Dear Sir:

# INFORMATION DISCLOSURE STATEMENT

In accordance with the duty under 37 C.F.R. §§ 1.56 and 1.97 of each individual associated with the filing and prosecution of this Patent Application (hereinafter, "associated individuals") to disclose all information known to that individual to be material to patentability, Applicant(s) hereby submits the attached form PTO-1449 (modified) that lists art cited. This submission is made in accordance with 37 C.F.R. §§ 1.97 and 1.98 and § 609 of the Manual of Patent Examining Procedure.

The art listed therein, while possibly of some relevance, is not necessarily considered to teach or suggest any aspect of the invention described and claimed in the above-identified Patent Application. The art cited herein was previously submitted to the PTO in connection with parent application, U.S. Ser. No. 08/808,720 (now U.S. Pat. No. 6,100,387). Applicant(s) hereby

DALLAS2 1050972v1 50657-05302USP1

Patent Application
Docket No. 50657-05302USP1

expressly reserves the right to swear behind the effective dates of any of the references. Applicant(s) further reserves the right to question the relevance, materiality, and/or prior art status of the references in whole, in part, or in combination subsequent to the filing of this information disclosure statement. This information disclosure statement is also not to be construed as a representation that a search has, or has not, been conducted or that no better art exists. Rather, this information disclosure statement discloses only the best art of which the associated individuals are aware.

In considering the art set forth below, it may be noted by the Examiner that certain of the references may contain markings, underlinings, and/or other notations. These markings, underlinings, and/or other notations are not to be construed as drawing the Examiner's attention either to selected parts or away from other parts of the references. Any such markings were either present on the copies of the references obtained by the associated individuals, or were made thereon during the study of the references by the associated individuals.

The Examiner is respectfully requested to consider each of the cited references, to indicate such consideration by initialing in the space provided next to each reference on the enclosed Form PTO-1449 (modified), to sign the initialed Form PTO-1449 (modified), and to return a copy of the same with the next communication to the Applicant(s).

CHARGE STATEMENT: The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed or which should have been filed herewith or concerning any paper filed hereafter, and may be required under 37 CFR 1.16-1.18 (missing or insufficiencies only) now or hereafter relative to this application and for the resulting Official Document under 37 CFR 1.20, OR credit any overpayment to our Deposit Account No. 10-0447 (Ref. No. 50657-05302USP1).

DALIJAS2 1050972v1 50657-05302USP1

Patent Application Docket No. 50657-05302USP1

Respectfully submitted,

Lekha Gopalakrishnan Reg. No. 46,733

Fax: 2148554107

Dated: August 19, 2004

JENKENS & GILCHRIST A Professional Corporation 1445 Ross Avenue, Suite 3200 Dallas, Texas 75202-2799 214/963-7364 (Direct) 214/85\$-4300 (Fax)

DALILAS2 1050972v1 50657-05302USP1

	-			Sheet 1 of 4		
	Fo	rm PTO-1449 Modified		Docket No.: 50657-05302USP1	Serial N 09/175,	
	Í	f Patents and Publication Cited by Applicant several sheets if necessa		Applicant(s): Herrmann et al.		
U.S		ent Department of Com nt and Trademark Offi		Filing Date: October 20, 1998	Group: 1646	
		U.	S. PATENT DO	CUMENTS		
Examiner Initial	,	Document No.	Date	Name	Class	Sub- class
	A-1	4,235,871	25 Nov. 80	Papahandjopoulos et al.	<del></del>	CIRSS
	<b>A</b> -2	4,501,728	26 Feb. 85	Gého et al.		<del> </del>
1, 1, 1, 1, 1	A-3	4,18,584	21 May 85	Mark et al.	<del></del>	1
	<b>A</b> -4	4,737,323	18 Apr. 88	Martin et al.		<del>                                     </del>
: :	Ą.		6 June 89	Allen	- I.	<del>                                     </del>
	<b>A</b> -(		14 Dec. 93	McCoy and LaVallie		<b>—</b>
	<b>A</b> -		8 Mar. 94	McCoy and LaVallie	100	
A 40.	A-8		8 Oct. 96	Honjo et al.		
	A-9		3 Dec. 96	Samal		
	A-1		25 Feb. 97	Coleman et al.		
	A-1		1 Apr. 97	Cerami et al.		
	A-1	2 U.S. Ser. No.	10 Dec. 93	McCoy and LaVallie		

11 Oct. 95

2 Feb. 96

4 Mar. 97

22 July 97

U.S. Ser. No. 08/165,301 U.S. Ser. No.

U.S. Ser. No. 08/535,116
U.S. Ser. No. 08/595,590
U.S. Ser. No. 08/810,436
5,650,150

**A**-13

A-14

A-15

A-16

Fax: 2148554107

**EXAMINER:** 

DATE CONSIDERED:

McCoy and LaVallie

Gray et al.

Gillies

DALLAS2 1050972v 50657-05302USPI

Sheet 2 of 4

#### Form PTO-1449 Modified

Docket No.: 50657-05302USP1

Serial No.: 09/175,713

List of Patents and Publications Cited by Applicant (Use several sheets if necessary)

Applicant(s): Herrmann et al.

U.S. Patent Department of Commerce Patent and Trademark Office

Filing Date: October 20, 1998

Group: 1646

#### FOREIGN PATENT DOCUMENTS

Fax: 2148554107

Examiner Initial	-	Document No.	Date	Country	Translatio	n
					Yes	No
	H-1	EP 0 763 543 A2	19 Mar. 97	European patent application		- ·
	E-2	WO 94/29341	22 Dec. 97	International patent application		
	H-3	WO 95/21258	10 Aug. 95	International patent application	T	
	<b>B-4</b>	WO 96/13587	9 May 96	International patent application		
	B-5	WO 96/17935	13 June 96	International patent application		
	B-6	WO 96/34819	7 Nov. 96	International patent application		
	B-7	WO 96/38559	5 Dec. 96	International patent application		
	B-8	WO 96/39520	12 Dec. 96	International patent application		``
	B-9	WO 96/39521	12 Dec. 96	International patent application	<del> </del>	-
	B-10	WO 96/39522	12 Dec. 96	International patent application	<del> </del>	
	B-11	WO 96/40762	19 Dec. 96	International patent application	1	
	B-12	WO 96/40786	19 Dec. 96	International patent application	<del>                                     </del>	
	B-12	WO 97/00691	9 Jan. 97	International patent application		
	B-14	WO 97/19173	29 May 97	International patent application	1	
	B-15	WO 96/23888 A	08 Aug 96	WIPO		
	B-16	EP 0 699 766 A	06 Mar 96	European Patent Office	1	
	B-17	WO 96/04388	15 Feb 96	WIPO	1	
	B-18	EP 0 816 510 A1	07 Jan 98	European Patent Office	<del> </del>	
	B-19	WO 97/34631 A1	25 Sept 97	WIPO	<del>                                     </del>	
	B-20	WO 98/04698 A1	05 Feb 98	WIPO		
EXAMINE	R:			DATE CONSIDERED:	<del></del>	

DALLAS2 1050972v1 50657-05302USP1

			Sheet 3 of 4	
	Form	PTO-1449 Modified	Docket No.: 50657-05302USP1	Serial No.: 09/175,713
	C	atents and Publications ited by Applicant eral sheets if necessary)	Applicant(s): Herrmann et al.	
Ù.S		Department of Commerce and Trademark Office	Filing Date: October 20, 1998	Group: 1646
		OTHER DOC	UMENTS	
Examiner	1	Author,	Title, Pertinent Pages, etc.	
Initial	M1 - C.L 17/2 - 5.7.			
	G <sub>1</sub>	Kaufman et al., Nucleic Acids Res 1	0.4485_4400 (1001)	
	C-2	Kaufman, Methods in Enzmology 1	25:527-566 (1991)	
	G-3	Current Protocols in Immunology, I E.M. Shevach, W. Strober, Pub. by (Chapter 6.12, Measurement of alph	d. by J.E. Coligan, A.M. Kruis	beek, D. H. Margulier and Wiley-Interscience
	G-4	Baub et al. J. Clin. Invest. 95:1370-1	376 1095	12.28
	<b>C</b> -5	Lind et al. APMIS 103:140-146, 199	15 (1795)	
	<b>C</b> -6	Muller et al. Eur. J. Immunol, 25:17-	44-1748	
	C-7	Gruber et al. J. of Immunol. 153: 170		
	<b>C-8</b>	Johnston et al., J. of Immunol, 153,1	762-1768 1994	
	C-9	Saragovi et al. Bio/Technology 10, 7		<del></del>
	C-10	McDowell, et al. J. Amer. Chem Soc	114 9245-9253 (1992)	
	C-11	Current Protocols in Immunology Margulier, E.M. Shevach, W. Strol Interscience (Chapter 7.28. Measur 28.1-7.28 22)	, edited by J.E. Coligan, A.I.	Associates and Wiley
	C-12	Takai et al. Proc. Natl Acad. Sci. US	A 84.6864-6868 1987	<del> </del>
	C-13	Bierer et al. J. Exp. Med 168:1145-1	156.1988	
	C-14	Rosenstein et al. I. Exp. Med. 169:1		
	C-15	Stoltenbert et al. J. Immunol, Metho		
	C-16	Stitt et al. Cell 80:661-670.1995		
	C-17	Merrifield, J. Amer. Chem Soc 85 2	149-2154 (1963)	<del></del>
	C-18	Krstenansky et al. REBS Lett. 211.		
	C-19	Arenzana-Seisdedos et al. Nature 38		<del>, ""</del>
	C-20	Bates, P., Cell 86: 1-3 (1996)		
	C-21	Bates, C.C. et al., J. Exp. Med. 184:	1101-1109 (1996)	
	C-22	Cocchi, F. et al. Science 270: 1811-		
	C-23	Dragic, T. et al., Nature 381: 667-67		
	C-24	J nsson, U. et al., Bio Techniques 1		

DALLAS2 1050972v1 50657-05302USP1

List of Patents and Publications Cited by Applicant (Use several sheets if necessary)  U.S. Patent Department of Commerce Patent and Trademark Office  OTHER DOCUMENTS  Author, Title, Pertinent Pages, etc.  Initial  C-26 Mackay, C. R. J. Exp. Med. 184:799-802 (1996)  C-27 Nagasawa, T. et al., nature 382:635-638 (1996)  C-28 Nagasawa, T. et al., Proc. Natl. Acad Sci. USA 91:2305-2309 (1994)  C-29 Oberlin, E. et al., Nature 382:833-835 (1996)  C-30 Schmidtmayerova, H. et al., Nature 382:767 (1996)  C-31 Seachrist, L., Bio World Today & (23): 1,4 (1997)  C-32 Tashiro K. et al. Science 261: 600-603 (1993)  C-34 Wu, L. et al., Annals of the New York academy of Sciences, 796: 245-246 (1996)  C-35 Howard et al., Trends in Biochemistry 14: 46-51, February 1996		Form 1	TO-1449 Modified	Docket No.: 50657-05302USP1	Serial No.: 09/175,713
Cotober 20, 1998   1646     Cotober 20, 1998   1646     Cotober 20, 1998   Cotober 20,		Cit	ed by Applicant		
Author, Title, Pertinent Pages, etc.  [nitial	U.S	S. Patent l Patent s	Department of Commerce and Trademark Office		
C-26   Mackay, C. R. J. Exp. Med. 184:799-802 (1996)   C-27   Nagasawa, T. et al., nature 382:635-638 (1996)   C-28   Nagasawa, T. et al., Proc. Natl. Acad Sci. USA 91:2305-2309 (1994)   C-29   Oberlin, E. et al., Nature 382:833-835 (1996)   C-30   Schmidtmayerova, H. et al., Nature 382:767 (1996)   C-31   Seachrist, L., BioWorld Today 8 (23): 1,4 (1997)   C-32   Tashiro K. et al. Science 261: 600-603 (1993)   C-33   Wells, T.N.C. et al., Annals of the New York academy of Sciences, 796: 245-246 (1996)   C-33   Wells, T.N.C. et al., Annals of the New York academy of Sciences, 796: 245-246 (1996)   C-33   Wells, T.N.C. et al., Annals of the New York academy of Sciences, 796: 245-246 (1996)   C-34   C-35   C-35   C-36   C		2			
G-26 Mackay, C. R. J. Exp. Med. 134-775-638 (1996)  G-27 Nagasawa, T. et al., nature 382:635-638 (1996)  G-28 Nagasawa, T. et al., Proc. Natl. Acad Sci. USA 91:2305-2309 (1994)  G-29 Oberlin, E. et al., Nature 382:833-835 (1996)  G-30 Schmidtmayerova, H. et al., Nature 382:767 (1996)  G-31 Seachrist, L., BioWorld Today 8 (23): 1,4 (1997)  G-32 Tashiro K. et al. Science 261: 600-603 (1993)  G-33 Wells, T.N.C. et al., Annals of the New York academy of Sciences, 796: 245-246 (1996)	<u></u>		OTHER DO	CUMENTS	
C-27 Nagasawa, T. et al., nature 382:635-638 (1936) C-28 Nagasawa, T. et al., Proc. Natl. Acad Sci. USA 91:2305-2309 (1994) C-29 Oberlin, E. et al., Nature 382:833-835 (1996) C-30 Schmidtmayerova, H. et al., Nature 382:767 (1996) C-31 Seachrist, L., BioWorld Today 8 (23): 1,4 (1997) C-32 Tashiro K. et al. Science 261: 600-603 (1993) C-33 Wells, T.N.C. et al., Annals of the New York academy of Sciences, 796: 245-246 (1996)	•	The state of state of the state	Author	, Title, Pertinent Pages, etc.	
G-28 Nagasawa, T. et al., Proc. Natl. Acad Sci. USA 91.2509 2509 (1996) G-29 Oberlin, E. et al., Nature 382:833-835 (1996) G-30 Schmidtmayerova, H. et al., Nature 382:767 (1996) G-31 Seachrist, L., BioWorld Today 8 (23): 1,4 (1997) G-32 Tashiro K. et al. Science 261: 600-603 (1993) G-33 Wells, T.N.C. et al., Annals of the New York academy of Sciences, 796: 245-246 (1996)	•	CL26	Author	r, Title, Pertinent Pages, etc.	
C-29   Oberlin, E. et al., Nature 382:833-833 (1936)   C-30   Schmidtmayerova, H. et al., Nature 382:767 (1996)   C-31   Seachrist, L., Bio World Today 8 (23): 1,4 (1997)   C-32   Tashiro K. et al. Science 261: 600-603 (1993)   C-33   Wells, T.N.C. et al., Annals of the New York academy of Sciences, 796: 245-246 (1996)   C-33   Wells, T.N.C. et al., Annals of the New York academy of Sciences, 796: 245-246 (1996)   C-33   Wells, T.N.C. et al., Annals of the New York academy of Sciences, 796: 245-246 (1996)   C-33   Wells, T.N.C. et al., Annals of the New York academy of Sciences, 796: 245-246 (1996)   C-33   Wells, T.N.C. et al., Annals of the New York academy of Sciences, 796: 245-246 (1996)   C-33   Wells, T.N.C. et al., Annals of the New York academy of Sciences, 796: 245-246 (1996)   C-34   C-35	•		Author Mackay, C. R. J. Exp. Med. 184:79	7, Title, Pertinent Pages, etc.	
G-30 Schmidtmayerova, H. et al., Nature 382:707 (1920)  G-31 Seachrist, L., BioWorld Today 8 (23): 1,4 (1997)  G-32 Tashiro K. et al. Science 261: 600-603 (1993)  G-33 Wells, T.N.C. et al., Annals of the New York academy of Sciences, 796: 245-246 (1996)	•	C-27	Mackay, C. R. J. Exp. Med. 184:79 Nagasawa, T. et al., nature 382:63	7, Title, Pertinent Pages, etc. 99-802 (1996) 5-638 (1996) ad Sci. USA 91:2305-2309 (1	
G-31 Seachrist, L., BioWorld 10day 8 (25): 1,7 (1997) G-32 Tashiro K. et al. Science 261: 600-603 (1993) G-33 Wells, T.N.C. et al., Annals of the New York academy of Sciences, 796: 245-246 (1996)	•	C-27 C-28	Mackay, C. R. J. Exp. Med. 184:79 Nagasawa, T. et al., nature 382:63 Nagasawa, T. et al., Proc. Natl. Ac	7, Title, Pertinent Pages, etc. 99-802 (1996) 5-638 (1996) ad Sci. USA 91:2305-2309 (1835 (1996)	
C-32 Tashiro K. et al. Science 281: 000-003 (1223)  C-33 Wells, T.N.C. et al., Annals of the New York academy of Sciences, 796: 245-246 (1996)	•	C-27 C-28 C-29	Mackay, C. R. J. Exp. Med. 184:79 Nagasawa, T. et al., nature 382:63 Nagasawa, T. et al., Proc. Natl. Ac Oberlin, E. et al., Nature 382:833-	7, Title, Pertinent Pages, etc. 99-802 (1996) 5-638 (1996) ad Sci. USA 91:2305-2309 (1835 (1996) e 382:767 (1996)	
	•	C-27 C-28 C-29 C-30	Mackay, C. R. J. Exp. Med. 184:79 Nagasawa, T. et al., nature 382:63 Nagasawa, T. et al., Proc. Natl. Ac Oberlin, E. et al., Nature 382:833 Schmidtmayerova, H. et al., Natur Neachrist, L., BioWorld Today 8 (	7, Title, Pertinent Pages, etc. 99-802 (1996) 5-638 (1996) ad Sci. USA 91:2305-2309 (1835 (1996) e 382:767 (1996) 23): 1,4 (1997)	994)
	•	C-27 C-28 C-29 C-30 C-31	Mackay, C. R. J. Exp. Med. 184:79 Nagasawa, T. et al., nature 382:63 Nagasawa, T. et al., Proc. Natl. Ac Oberlin, E. et al., Nature 382:833 Schmidtmayerova, H. et al., Natur Neachrist, L., BioWorld Today 8 (	7, Title, Pertinent Pages, etc. 99-802 (1996) 5-638 (1996) ad Sci. USA 91:2305-2309 (1835 (1996) e 382:767 (1996) 23): 1,4 (1997)	994)
C-35 Howard et al., Trends in Biochemistry 14.	•	G-27 G-28 G-29 G-30 G-31 G-32	Mackay, C. R. J. Exp. Med. 184:79 Nagasawa, T. et al., nature 382:63 Nagasawa, T. et al., Proc. Natl. Ac Oberlin, E. et al., Nature 382:833- Schmidtmayerova, H. et al., Natur Seachrist, L., BioWorld Today 8 ( Tashiro K. et al. Science 261: 600	7, Title, Pertinent Pages, etc. 99-802 (1996) 5-638 (1996) ad Sci. USA 91:2305-2309 (1835 (1996) e 382:767 (1996) 23): 1,4 (1997) -603 (1993) New York academy of Science	994)